

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**BMG MUSIC, a New York general  
partnership; WARNER BROS. RECORDS  
INC., a Delaware corporation; and  
UMG RECORDINGS, INC., a Delaware  
corporation,**

**Plaintiffs,**

**v.**

**JOHN DOE,**

**Defendant.**

---

**8:05CV244**

**ORDER**

This matter is before the undersigned magistrate judge for full pretrial supervision. On June 8, 2005, I granted the plaintiffs' motion for leave to conduct immediate discovery for the purpose of determining the actual identity of the defendant. To this end, on July 21, 2005, plaintiff served a subpoena upon the University of Nebraska-Lincoln. The court is unaware of any dispute involving this subpoena, and there has been no further activity in the case.

Fed. R. Civ. P. 4(m) requires that service of the summons and complaint be made within 120 days after the filing of the complaint. To date (the 120th day), the defendant has not been identified and no summons has been issued.

**IT THEREFORE IS ORDERED** that plaintiffs' attorney shall electronically file a status report on or before **October 4, 2005** concerning plaintiffs' progress in determining the actual identity of the defendant.

**DATED September 22, 2005.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**